

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

VERNON PAYNE,)
vs.)
Plaintiff,)
vs.) CIVIL NO. 05-607-DRH
MAGGIE BRYANT, *et al.*,)
Defendants.)

MEMORANDUM AND ORDER

HERNDON, District Judge:

On October 4, 2005, this Court assessed an initial partial filing fee of \$10.14. To date the Court has not received any payment from Plaintiff, nor has Plaintiff indicated any reason why he is unable to pay this fee as ordered.

IT IS ORDERED that within **THIRTY (30) DAYS** of the date of entry of this Order, Plaintiff shall either tender his initial partial filing fee of \$10.14, or he shall show cause why he is unable to do so.

IT IS FURTHER ORDERED that if Plaintiff does not comply with this Order in the time allotted, this case will be dismissed with prejudice for failure to comply with an order of this Court. FED.R.Civ.P. 41(b); *see generally Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

IT IS SO ORDERED.

DATED: February 2, 2006.

/s/ David RHerndon
DISTRICT JUDGE